

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re: )  
HORNBLOWER HOLDINGS LLC, *et al.*,<sup>1</sup> ) Chapter 11  
Debtors. ) Case No. 24-90061 (MI)  
 ) (Jointly Administered)  
 )

**NOTICE TO CONTRACT PARTIES TO REJECTED  
EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

**YOU ARE RECEIVING THIS NOTICE BECAUSE YOU OR ONE OF YOUR AFFILIATES IS A COUNTERPARTY TO AN EXECUTORY CONTRACT OR UNEXPIRED LEASE WITH ONE OR MORE OF THE DEBTORS AS SET FORTH ON EXHIBIT A ATTACHED HERETO.**

**PLEASE TAKE NOTICE** that on February 21, 2024, the above-captioned debtors and debtors in possession (collectively, the “Debtors”) filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code in the United States Bankruptcy Court for the Southern District of Texas (the “Court”).

**PLEASE TAKE FURTHER NOTICE** that on February 28, 2024, the Court entered the *Order (A) Approving (I) Bidding Procedures for the Sale of the AQV Debtors' Assets, (II) Procedures Regarding Bid Protections, (III) the Scheduling of Certain Dates with Respect Thereto, (IV) the Form and Manner of Notice Thereof, (V) Contract Assumption, Assignment, and Rejection Procedures, and (VI) Certain Procedures to Otherwise Dispose of the AQV Assets, and (B) Authorizing the Debtors to Enter into Agreements for the Sale of Their Assets Free and Clear of all Liens, Claims, and, Encumbrances* [Docket No. 166] (the “Bidding Procedures Order”), and on March 22, 2024, entered a modified version of the Bidding Procedures Order [Docket No. 317],<sup>2</sup> by which the Court approved (a) procedures for the Debtors’ pursuit of one or more

<sup>1</sup> The last four digits of Debtor Hornblower Holdings LLC's tax identification number are 6035. Due to the large number of debtor entities in these chapter 11 cases which are being jointly administered, a complete list of the debtor entities and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors' claims and noticing agent at <https://omniagentsolutions.com/Hornblower>. The location of the Debtors' service address for purposes of these chapter 11 cases is: Pier 3 on The Embarcadero, San Francisco, CA 94111.

<sup>2</sup> All capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Bidding Procedures Order or the *Debtors' Emergency Motion for Entry of an Order (A) Approving (I) Bidding Procedures for the Sale of the AQV Debtors' Assets, (II) Procedures Regarding Bid Protections, (III) the Scheduling of Certain Dates with Respect Thereto, (IV) the Form and Manner of Notice Thereof, (V) Contract Assumption, Assignment, and Rejection Procedures, and (VI) Certain Procedures to Otherwise Dispose of the*

sales or dispositions of the AQV Business or some, all, or substantially all of the assets of the Debtors' AQV Business (the "AQV Assets") under section 363 of the Bankruptcy Code free and clear of any liens, claims, and encumbrances (each, a "Sale"), which procedures are annexed to the Bidding Procedures Order as Exhibit 1 (the "Bidding Procedures"), and (b) the scheduling of a hearing to approve the Debtors' Sale of the AQV Assets (the "Sale Hearing").

**PLEASE TAKE FURTHER NOTICE** that the Debtors have determined to reject the Rejected Contracts listed on the schedule attached hereto as Exhibit A (the "Rejected Contracts Schedule"), to at least one of which you are a counterparty, effective as of the date listed on the Rejected Contracts Schedule (the "Rejection Date"). The Rejected Contracts Schedule can also be viewed on the website maintained by the Debtors' claims and noticing agent, Omni Agent Solutions, Inc., at <https://omniagentsolutions.com/Hornblower>.

**PLEASE TAKE FURTHER NOTICE** that if you object to the Debtors' decision to reject your contract, including to the Rejection Date, you may file an objection with the Court (a "Rejection Objection"). Your objection must: (i) comply with the applicable provisions of the Bankruptcy Rules, the Bankruptcy Local Rules, and any order governing the administration of these chapter 11 cases; and (ii) be filed with the Court **no later than April 15, 2024 at 4:00 p.m. (prevailing Central Time)** (the "Rejection Objection Deadline"). *You are encouraged to contact counsel for the Debtors prior to filing a Rejection Objection to determine if an informal resolution thereof may be reached.*

**PLEASE TAKE FURTHER NOTICE** that if you do not file a Rejection Objection by the Rejection Objection Deadline or in accordance with the foregoing specifications, the Debtors shall seek authorization in the Sale Order (if any) that the rejection of your contract is effective as of the Rejection Date, or alternatively by submitting a proposed order filed with the Court under a certificate of no objection. You will be forever barred, estopped, and enjoined from objecting to such rejection.

**PLEASE TAKE FURTHER NOTICE** that if a timely Rejection Objection served as specified above is not withdrawn or resolved, the Debtors shall request that the Court hear the objection at the Sale Hearing (if any), or schedule a hearing at a later date on such objection, in accordance with the Bidding Procedures Order. If such objection is overruled or withdrawn, then the applicable contract will be rejected in accordance with the Bidding Procedures Order.

*[Remainder of page intentionally left blank]*

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*(A) Authorizing the Debtors to Sell Their Assets Free and Clear of all Liens, Claims, and, Encumbrances [Docket No. 21] (the "Motion"), as applicable.*

March 25, 2024

By: /s/ John F. Higgins

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*Proposed Counsel to the Debtors and  
the Debtors in Possession*

**Certificate of Service**

I certify that on March 25, 2024, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

*/s/ John F. Higgins*  
John F. Higgins

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